

ORIGINAL

LEONARDO M. RAPADAS  
United States Attorney

RUSSELL C. STODDARD  
First Assistant U.S. Attorney

Suite 500, Sirena Plaza  
108 Hernan Cortez Avenue

Agana, Guam 96910

Telephone: (671) 472-7332/7283

Telecopier: (671) 472-7334

Attorneys for United States of America

**FILED**  
DISTRICT COURT OF GUAM

APR 14 2006

MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER M. ESPINOSA, and  
BRIAN WILLIAM ELM,

Defendants.

CRIMINAL CASE NO. 05-00053

**MOTION FOR RECONSIDERATION  
AND REQUEST FOR RELIEF**

COMES NOW the United States, by and through its undersigned Assistant United States Attorney, and in filing this motion for reconsideration of the order dated April 14, 2006 and request from relief thereof, states as follows:

1. At the status hearing on April 11, 2006, counsel for the government informed the Court that he would be in the mainland United States from April 20, 2006, through May 11, 2006. In establishing the motion due dates, response due dates and setting for trial, the court acknowledged the unavailability of counsel for the United States during the dates set forth herein.

Wherefore, the government respectfully requests that the trial setting in this matter, re-scheduled by Order of the Court filed April 14, 2006, be re-scheduled to a date on or after May

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1 15, 2006. Furthermore, the government requests that the Court re-establish May 12, 2006, as the  
2 date for hearing the motion, should one be filed by the defendant, and the government's response  
3 thereto.

4 RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of April, 2006.

6 LEONARDO M. RAPADAS  
7 United States Attorney  
8 Districts of Guam and NMI

9 By: 

10 RUSSELL C. STODDARD  
11 First Assistant U.S. Attorney  
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